

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:06CV2

THEODORE R. ANDERSON,)
Plaintiff,)
Vs.) ORDER
)
JEFFREY R. DOBSON; GERALD)
W. SODERQUIST; ROBERT W.)
MIDDLETON; and ARTHUR D.)
ACKERMAN,)
)
Defendants and Third-Party)
Plaintiffs,)
Vs.)
)
HALEAKALA RESEARCH AND)
DEVELOPMENT, INC.,)
)
Third-Party Defendant.)
)

THIS MATTER is before the Court on the parties cross-motions for preliminary injunction and the motion of Plaintiff and the Third-Party Defendant to dismiss Defendant's counterclaim and third-party complaint. The Court finds that a hearing is necessary before any rulings are made on these motions. In addition, Plaintiff, with the consent of the Defendants,

has moved to extend the date for filing the Rule 26(f) Conference report until after a ruling is made on the motion to dismiss. The Court will allow the motion.

IT IS, THEREFORE, ORDERED that arguments on the motions listed above will be heard by the Court on **FRIDAY, APRIL 28, 2006, AT 10:00 AM**, in the Main Courtroom, Third Floor, of the United States Courthouse in Asheville, North Carolina.

IT IS FURTHER ORDERED that the Plaintiff's motion to extend the date for filing the Rule 26(f) Conference report is **ALLOWED**, and the report shall be due no later than 15 days after the Court issues a ruling on the motion to dismiss currently pending.

Signed: April 12, 2006


Lacy H. Thornburg
United States District Judge